

SENATE CHAMBER, }  
 SATURDAY, April 18, 1846. }  
 9 O'CLOCK A. M.

Senate met, pursuant to adjournment—roll called and a quorum present.

Journal of the preceding day read and adopted.

Senator Hogg, Chairman of the Judiciary Committee, made the following reports:

COMMITTEE ROOM, }  
 April 18th, 1846. }

*To the Honorable Edward Burleson,*  
*President pro tem. of the Senate:*

The Judiciary committee, to whom was referred, a bill to be entitled an act for the protection of widows and orphans, which originated in the House of Representatives, having considered the same, your committee are of opinion that the Probate law amply provides for the families of the deceased.

Also a bill to prevent the introduction of vagrants into this State from foreign countries. After considering the same your committee are of opinion, that the laws already in existence relative to vagrants are ample for the present.

Therefore a majority of your committee instruct me to report the said bills to the Senate, and to recommend their rejection.

JOS. L. HOGG,  
*Chairman.*

COMMITTEE ROOM, }  
 April 18th, 1846. }

*To the Honorable Edward Burleson,*  
*President pro tem. of the Senate:*

The committee on the Judiciary, to whom was referred a bill to provide for closing the business of the late War and Marine department, also a joint resolution prescribing the mode of notifying the governor when a bill creating a private corporation, has constitutionally passed both Houses of the Legislature—also a joint resolution declaring the exclusive right of the State of Texas, to the jurisdiction over the soil included within the limits thereof—also an act regulating juries—which your committee have duly considered, and a majority instruct me to report said bills and resolutions to the Senate

with amendments, and to recommend their adoption, and the message of the same.

JOS. L. HOGG,  
*Chairman.*

#### AMENDMENTS.

A bill to provide for closing the business of the late War and Marine department.

Strike out "Secretary of State" and insert "Adjutant General" in both sections. In 5th line, 2d section, insert "and to settle all outstanding business connected with the late War and Marine department, as heretofore required by law of the Secretary of said department."

Made the special order for Monday.

Joint resolution prescribing the mode of notifying the Governor when a bill creating a private corporation has passed both Houses by a constitutional majority.

Strike out "His Excellency."

Adopted.

Joint resolution declaring the exclusive right of the State of Texas, to the jurisdiction over the soil within the limits thereof.

First section, 7th line, after the word "State" insert "excepting such jurisdiction as is vested in the United States by the constitution of the United States, and by the joint resolutions of annexation." Fifth line insert "said" before "Republic."

A bill regulating juries.

Tenth section, 8th line, strike out "twenty" and insert "twenty-three"—strike out "twelve and insert "thirteen."—16th section 7th line, strike out "party and party" and insert "the parties"—13th line strike out "your and" and insert "the law and"—23rd section, 4th line, strike out "four" and insert "seven."

Senator Williams, Chairman of the committee on Public Lands, made the following reports:

COMMITTEE ROOM, }  
Austin, April 18th, 1846. }

To the *Honorable Edward Burleson,*

*President pro tem. of the Senate:*

The committee on Public Lands, to whom was referred the bill to be entitled an act to allow holders of Texas liabilities to receive land scrip therefor, have had the same under consideration, and are of opinion that to pass the bill in its pres-

ent shape, fixing the price of land scrip at any price whatever, would not mete out justice to the holders of the liabilities of the late Republic of Texas, for the reason that there are many meritorious claimants who have received the same at par, others at a discount of fifty per cent, whilst there are others who hold the same which have not yielded to the Government more than twelve and a half cents to the dollar of the face, and have not cost the present holders thereof more than from three to five cents to the dollar.

That the public domain of Texas is bound for the final payment of its outstanding debt, your committee is ready to admit and at the same time acknowledge its ability to do so, after satisfying every appropriation of any portion thereof heretofore made, yet the committee would recommend that the outstanding debt be first ascertained, after which classify the same, and affix the value thereto; after which the Legislature will be able to provide by legislation for the final payment of the public debt of Texas, either by sale to the government of the United States, of the whole, or a portion thereof, or by the issuance of land scrip to the individual holders of the liabilities.

Therefore, report the bill to the Senate, and recommend its indefinite postponement.

WM. M. WILLIAMS,  
*Chairman,*

COMMITTEE ROOM, }  
Austin, April 18th, 1846. }

*To the Honorable Edward Burleson,*  
*President pro tem. of the Senate:*

The committee on Public Lands, to whom was referred the bill to be entitled an act to authorize J. G. Rector to sell his donation claim, have considered the same, and instructed me to report the same back to the Senate, and recommend its passage.

WM. M. WILLIAMS,  
*Chairman.*

Select committee, Senator Grimes Chairman, reported the following amendments, to a bill requiring the Clerks of the County and District Courts, Sheriffs, County Treasurers and Surveyors to reside at the county seat.

In the caption insert after "Surveyors" "or their lawful deputies."

Section first, seventh line, after "to" strike out "resident"

and insert "fix the residence of themselves or their lawful deputies."

At the end of the section insert, "and be prepared at all times to attend at their offices thereat, either in person or by their lawful deputy, to any business which may be presented for their official action."

Section 2nd, 4th line, between the words "reside" and "at" insert "or keep a lawful deputy."

On motion of Senator Jewett, the report and bill, was laid on the table till Monday.

Select committee, Senator McKinney Chairman, reported back to the Senate without amendments, a bill to regulate wreck masters.

Senator McKinney offered the following resolution:

*Resolved*, That a committee of three be appointed, to act in conjunction with a like committee from the House, to collect and destroy all official seals of the various Departments of the Republic of Texas.

Adopted, and Senators McKinney, Wallace, and Bagby, appointed said committee.

Senator Wallace offered the following resolution:

*Resolved*, That the committee on Finance, be instructed to prepare and report to the Senate, a bill providing for making deductions from the salaries of public officers, who may neglect the performance of any duty that may be assigned them by law.

Adopted.

Resolution from the House to adjourn *sine die* on the 30th inst.

Yeas and nays on the motion to lay on the table stood:

*Yeas*. Senators, Burleson, Grimes, Jewett, McKinney, Parker, Phillips, Robinson, Wallace, Williams and Williamson—10.

*Nays*. Senators, Bagby, Bourland, Brashear, Hogg, McNeel, Miller, Navarro, Scott and Wood—9.

Carried.

On motion of Senator Parker, the Senate went into executive session.

After some time spent therein, the Senate resumed the business on the table.

Senator Parker offered the following resolution:

*Resolved*, That the committee on Printing be instructed to withdraw the subscriptions for the "New Era" and "Texas

Democrat," except one number of each paper to each member and officer of the Senate.

Lost.

A bill to raise a revenue by direct taxation, being the special order of the day.

Question on the amendment of Senator Wood to strike out "20" and insert "15."

Yeas and nays stood thus:

*Yeas.* Senators, Navarro, Wallace and Wood —3.

*Nays;* Senators, Bagby, Bourland, Brashear, Burleson, Grimes, Hogg, Jewett, McKinney, McNeel, Miller, Parker, Phillips, Robinson, Scott, and Williams—15.

Lost.

Senator Wallace offered the following amendment.

In section 1st, 7th line, after the word "taxation" insert "and that owned by Indians and other persons residing in the State who are by law prohibited from exercising an elective franchise, and who by law are not competent witnesses against free born white persons."

Lost.

In section 2nd 6th line, after "dollars" insert "and fifty cents."

Lost.

In 4th section, 7th line, after "such" insert "permanently located."

Lost.

Senator Bagby moved to strike out "sixty" and insert "fifty" for poll tax.

Lost, and bill passed to 3rd reading.

On motion of Senator Robinson, the bill authorizing the Governor to appoint a private Secretary, was taken up and referred to the committee on Finance.

Senator Bourland, Chairman of the committee on County Boundaries, made the following report:

COMMITTEE ROOM, }  
April 18th, 1846. }

*To the Honorable Edward Burleson,*

*President pro tem. of the Senate:*

The committee on County Boundaries, to whom was referred an act to establish the county of Cass, have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments:

In section 4th, line 4th, strike out "Monday of" and insert "the day of the general election for county officers in this State."

In 5th section, 7th line, strike out "three" and insert "five" so as to read "within five miles of the centre."

Strike out the 7th, 8th, 9th, and 10th sections of the bill.

JAMES BOURLAND,

*Chairman.*

A bill to incorporate the city of Corpus Christi—read 3rd time and passed.

A joint resolution concerning roads in Robertson County—read 2nd time and passed to 3rd reading.

A bill authorizing and requiring the Commissioner of the General Land Office, to issue patents on land lying in two or more counties.

Ordered to be engrossed.

A bill for the relief of R. M. Williamson; laid on the table.

A bill creating the county of Henderson; passed to a 3rd reading.

A bill to incorporate the Colorado and Wilson Creek Rail Road Company; laid on the table.

A bill to incorporate the society of Free Masons; read 1st time.

A bill to prevent deeds and transfers to real estate, being admitted to record where the taxes have not been paid.

Referred to committee on Finance.

A joint resolution authorizing the Governor to investigate the subject of the Public Domain.

On motion of Senator Kinney, laid on the table.

A bill transferring a part of the liabilities of Milam, to Burleson county.

Report of committee on County Boundaries adopted, and bill passed to 3rd reading.

A bill creating the county of Cass.

On motion of Senator Bourland, the report and bill laid on the table.

A bill for the relief of James Gilliam assignee of Jesse Billingsly.

Senator Scott moved to lay on the table.

Senator Bourland moved a call of the House.

Roll called—further call suspended.

Motion to lay on the table withdrawn.

Yeas and nays called for, on passing the bill to 3rd reading stood thus:

*Yeas:* Senators, Bagby, Bourland, Brashear, Burleson, Hogg, Jewett, McKinney, McNeel, Miller, Navarro, Parker, Robinson, Wallace, Williams, and Williamson—15.

*Nays:* Senators Grimes and Scott—2.

Carried.

A bill to amend an act concerning divorce and alimony.

Senator Wallace moved to strike out "two years" and insert "one year."

Carried.

Senator Hogg moved to insert after "husband" 12th line, 1st section, "shall be taken in adultery."

Carried and bill referred to Judiciary committee.

A bill to organize to the county of Upshur—on report of committee on County Boundaries.

Senator Scott moved to reject the report.

Carried.

Senator Bourland moved to lay the bill on the table.

Lost.

Senator Scott offered the following amendment:

After the word "point" in 8th line, 1st section, strike out the word "opposite" and insert the words "one mile west."

Bill and amendments referred to Select committee—Senators, Scott, Bourland and Navarro.

Senator Bagby introduced

A bill requiring the county of Titus to pay a portion of the debt of Red River county.

Read 1st time.

Senate adjourned until Monday 9 o'clock A. M.

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SENATE CHAMBER, }  
 Monday, April 29, 1846. }  
 9 o'clock A. M.

Senate met, pursuant to adjournment—roll called and a quorum present.

Journal of the preceding day was read and adopted.

Senator Scott, Chairman of the Committee on Enrolled